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Paper No.

In re application of
Lester E. Cornelius et al.
Serial No. 09/783,520
Filed: February 15, 2001
For: TONER SEAL TEAR STRIP CONSTRUCTION

DECISION ON
PETITION

This is a decision on Applicant's request for reconsideration of the denial of the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed July 7, 2003, for failure to respond to the Office Action dated October 22, 2002.

Applicants' assert that a timely response was filed, but admit that the incorrect serial number was placed on the submitted papers. Applicants further note that the documents submitted contained the correct names of the applicants, filing date, title and that the correct serial number could have been obtained by contacting the Application division of the PTO. Applicants' assert that 37 CFR 1.5 states that any correspondence not containing identification will be returned to the center where a return address is available and will be accompanied by a cover letter that will indicate that if the return correspondence is resubmitted within two weeks, the original date of the correspondence will be considered by the PTO as the date of receipt of the correspondence.

DECISION

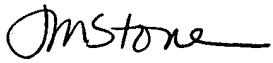
This petition request is accepted as a petition under 37 C.F.R. 1.181 (no fee). A review of the petitioner's evidence provided with the instant petition indicates that the request does have merit.

MPEP 502 states that all correspondence related to a national patent application already filed with the U.S. Patent and Trademark Office must include the identification of the application number or the serial number and the filing date assigned to the application by the Office. The Office can correct a minor error in the identification of the application provided the correct identification can be quickly discovered. Examples of minor errors are transposed numbers, typographical errors, and listing the parent application number.

Applicants' misidentification of the serial number of the application by one digit is considered minor and has been corrected. The papers originally filed December 9, 2002 have been placed in the proper file.

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The abandonment is withdrawn, the papers entered and the application forwarded to the examiner for action.

A handwritten signature in black ink, appearing to read "JmStone", with a horizontal line underneath.

Jacqueline M. Stone, Director
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